

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

Plaintiff,

:

Case No. 3:09-cr-109

- vs -

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

PIERRE COLQUITT,

Defendant.

:

**REPORT AND RECOMMENDATIONS ON MOTION FOR
TEMPORARY RESTRAINING ORDER**

This case is before the Court on Defendant's Motion for Temporary Restraining Order (ECF No. 186). The Motion is utterly frivolous and should be denied because:

1. It does not say whom Defendant wants restrained;
2. If it were construed as another motion seeking relief on the merits, it would fall afoul of this Court's Order sanctioning Defendant under Fed. R. Civ. P. 11 and suspending the sanction unless an additional motion for reconsideration were to be filed (ECF No. 177); and
3. None of the attached case authority has anything to do with the issues in this case.

October 24, 2017.

s/ *Michael R. Merz*
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Pursuant to Fed. R. Civ. P. 6(d), this period is extended to seventeen days because this Report is being served by mail. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendations are based in whole or in part upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 153-55 (1985).